

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

In Re:	)	IN CHAPTER 7 PROCEEDINGS
	)	
CHEMETCO, INC.	)	BK 01-34066
	)	
Debtor.	)	

**REPLY OF COMMERCE TO OBJECTIONS  
TO TRUSTEE'S APPLICATION TO APPROVE SETTLEMENT**

COMES NOW Commerce Bank ("Commerce"), by counsel, and submits this Reply to the Objections (collectively, the "Objections") filed by Olin Corporation ("Olin") and Interco Trading Company ("Interco"):

1. **Commerce Joins in the Trustee's and Government's Replies:** Commerce adopts and incorporates herein the replies (collectively, the "Replies") of the Trustee, Donald Samson, and the United States of America, on behalf of the U.S. Environmental Protection Agency ("EPA"), and the Illinois Environmental Protection Agency ("IEPA"), which have been filed with this Court and which respond to the Objections.

2. **Interco's Allegations Directed to Commerce:** There are no allegations specifically directed at Commerce in the Objections, except for Interco's unsupported contention that Commerce "could" receive payment in excess of any allowed secured claim it may hold (see Interco's Objection at 3). Interco offers no support whatsoever for this contention and therefore it should be rejected. In addition, there is nothing in the Settlement Agreement that suggests this conclusion is correct. Under the Settlement Agreement, Commerce is to receive payment on account of its allowed secured claim. In addition, Commerce is to receive payment on account of its allowed unsecured claim (just as other unsecured creditors). There is nothing in the Settlement Agreement to suggest (and there is no agreement with the Trustee) that Commerce's

unsecured claim herein has been elevated to a secured claim or otherwise treated differently than other unsecured creditors.

WHEREFORE, for the reasons stated herein, Commerce respectfully requests that the Court approve the Settlement Agreement and deny the Objections.

Dated: September 20, 2012

Respectfully submitted,

BRYAN CAVE LLP

By: /s/ David M. Unseth

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on this 20th day of September, 2012, the foregoing was served electronically via the Court's ECF/CM system and via first-class mail, postage prepaid, on the following parties:

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